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**REMARKS**

Claims 1-20 are pending in the application. Claims 1-20 were rejected under 35 U.S.C. §102(e).

**Rejection Under 35 U.S.C. § 102(e)**

Claims 1-20 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,788,949 B1 issued to Bansal on September 7, 2004.

Applicants have avoided this ground of rejection for the following reasons. Applicants' independent claim 1 limitation, as amended, that now recites,

"wherein at least one user of the one or more second communication devices employs one or more topics of the at least one open communication session, a list of the one or more first communication devices, and a time of the notification to make a determination to join the open communication session."

Bansal does not teach applicants' independent claim 1 limitation. Instead, Bansal discloses filtering the chat groups based on one or more predetermined criteria, such as chat group topics, chat group membership and/or chat group geographic area, as stated in column 3, lines 21-25. Thus, Bansal is missing the element "a time of the notification" to make a determination to join the open communication session.

Thus, the clear teaching of Bansal is that at least one user of the one or more second communication devices does not employ one or more topics of the at least one open communication session, a list of the one or more first communication devices, and a time of the notification to make a determination to join the open communication session.

In view of the foregoing, applicants submit that Bansal does not describe each and every element of claim 1, and therefore claim 1 is not anticipated by Bansal. Since claims 2-12 depend from allowable claim 1, these claims are also allowable over Bansal.

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Independent claims 13 and 19 each have a limitation similar to that of independent claim 1, which was shown is not taught by Bansal. For example, claim 13 recites, "employing one or more of a topic of the at least one open communication session, a list of the one or more users of the one or more communication devices, and a time of the notification to make a determination to join the open communication session", and claim 19 recites, "means in the one or more media for employing one or more of a topic of the at least one open communication session, a list of the one or more users of the one or more communication devices, and a time of the notification to make a determination to join the open communication session". Bansal does not teach these limitations for the above-mentioned reasons. Therefore, claims 13 and 19 are likewise allowable over Bansal. Since claims 14-18 depend from claim 13 and claim 20 depends from claim 19, these dependent claims are also allowable over Bansal.


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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,

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